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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,497	11/01/2001	Raymond King	10720/2:4	4554

3528   7590   07/02/2007
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EXAMINER
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ART UNIT	PAPER NUMBER
2157	

MAIL DATE	DELIVERY MODE
07/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/016,497	KING ET AL.
	Examiner	Art Unit
	El Hadji M. Sall	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 May 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *33,88,90-98,125,127-130 and 197* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *33, 88, 90-98, 197-125 and 127-130* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the requested for continued examination filed on May

25, 2007. Claims 1-32 and 34-87, 89, 99-106 and 126 are cancelled or withdrawn.

Claims 127-130 are added. Claims 33, 88, , 90, 92-96, 109-111, 124 and 125 are

amended. Claims 33, 88, 90-98, 107-125 and 127-130. Claims 33, 88, 90-98, 107-125

and 127-130 represent domain name acquisition and management system and method.

2.   *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or

described as set forth in section 102 of this title, if the differences between the subject

matter sought to be patented and the prior art are such that the subject matter as a

whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be

negatived by the manner in which the invention was made.

3.   Claims 33 and 90 and 95-103, 107-110, 117-125 and 128-130 are rejected under

35 U.S.C. 103(a) as being unpatentable over Schneider U.S. 6,895,430 in view of

Schneider U.S. 6,678,717.

Schneider teaches the invention substantially as claimed including method and apparatus for integrating resolution services, registration services, and search services (abstract).

As to claims 33, 88, 124 and 127, Schneider teaches a method and a system for domain name management comprising:

Identifying a domain name with a first registration (column 24, line 22);

Identifying an interested party desiring a succeeding registration for the domain name (column 24, line 23-24);

Monitoring a status of the first registration (column 24, lines 45-46; figure 9b); and

Immediately and automatically effecting the succeeding registration to the interested party when the status of the first registration indicates that the domain name is registrable, without further action by the interested party (column 7, lines 26-45; column 24, lines 40-44; figure 9b).

Schneider (430) fails to teach explicitly multiple requests to register the domain name are transmitted directly to the registry via a plurality of communication channels.

However, Schneider (717) teaches method product and apparatus for requesting a network resource. Schneider (717) teaches multiple requests to register the domain name are transmitted directly to the registry via a plurality of communication channels (column 13, line 27 to column 14, line 23).

It would have been obvious to one ordinary skill in the art at the time the invention was mad to combine Schneider (43) in view of Schneider (717) to provide

effecting the succeeding registration includes initiating multiple, substantially

contemporaneous requests to register the domain name; and further wherein the

multiple requests to register the domain name are transmitted directly to the registry via

a plurality of communication channels, the communication channels being associated

with multiple affiliated domain name registrars effectively acting in concert to register the

domain name before any other registrar. One would be motivated to do so to allow a

potential registrant to register the available domain name (abstract).

As to claim 90, Schneider teaches a method according to claim 88, wherein said

checking includes checking the status at a predetermined frequency during the time

period (column 20, lines 10-19, Schneider discloses providing the option of checking the

availability of other domain names).

As to claims 95 and 96, Schneider teaches a method according to claim 88,

wherein said checking includes receiving a communication pushed from a registrar; and

from a registry (column 14, lines 15-21).

As to claims 97 and 98, Schneider teaches a method according to claim 33,

wherein: the interested party is a registrant of the domain name; said effecting of the

succeeding registration includes requesting a renewal of the registered status of the

domain name for the registrant; and registration to an escrow entity, further comprising

transferring the registration from the escrow entity to the interested party (column 18,

lines 27-52).

As to claims 107, 108, 109, 110 and 121, Schneider teaches a method according to claims 33, 107 and 118, wherein the succeeding registration is to an escrow agent, and further comprising:

identifying a second interested party (column 24, lines 22-28);

auctioning the succeeding registration between the interested party and the second interested party (column 14, 50-54).

As to claims 117, Schneider teaches a method according to claim 33, wherein the first registration is maintained by a registry, and said effecting of the succeeding registration includes sending an add command to the registry (column 14, lines 15-21; column 18, lines 38-41).

As to claim 118, Schneider teaches a method according to claim 33, wherein the first registration is maintained by a registry and sponsored by a registry and sponsored by a registrar, and further comprising: prior to a purge of the first registration from the registry, re-allocating the domain name to select entity, whereby the domain name is not deleted by the registry (column 14, lines 15-21; column 18, lines 38-41).

As to claim 119, Schneider teaches a method according to claim 118, wherein the selected entity is the interested entity (column 24, line 23-24).

As to claim 120, Schneider teaches a method according to claim 118, wherein the selected entity is an escrow party (column 18, lines 46-48).

As to claim 122, Schneider teaches a method according to claim 121 wherein said auctioning is conducted prior to the first registration entering a "pending delete" status (column 18, lines 53-63).

As to claim 123, Schneider teaches a method according to claim 33, wherein said identifying comprises receiving a back order request for the domain name from the interested party (column 24, lines 22-28)

As to claim 125, 128-30, Schneider teaches a system according to claim 124, 33, 128 and 128, respectively, wherein:

The domain name is sponsored by a registrar having access to a registry that maintains the first registration (column 14, lines 15-21);

Said means for identifying the domain name includes an input means for receiving an indication of the domain name (column 7, lines 32-36); and

said means for monitoring the status of the first registration includes an acquisition array coupled to the input means and integrated with the registrar so as to enable the acquisition array to determine the status of the first registration and to immediately effect registration of the domain name when the status indicates that the domain name when the status indicates the domain name is registrable (column 7, lines 26-45; column 24, lines 40-44).

Schneider (430) fails to teach explicitly wherein the acquisition array implements a plurality of communication connections directly into the registry, the communication

connections being associated with a plurality of different cooperating domain name registrars.

However, Schneider (717) teaches wherein the acquisition array implements a plurality of communication connections directly into the registry, the communication connections being associated with a plurality of different cooperating domain name registrars (figures 5a-5c).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Schneider (430) in view of Schneider (717) to provide wherein the acquisition array implements a plurality of communication connections directly into the registry, the communication connections being associated with a plurality of different cooperating domain name registrars. One would be motivated to do so to allow having the lowest price for the purchase of a domain name (column 4, lines 9-11).

4.   Claims 92, 93 and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider U.S. 6,895,430 in view of Schneider U.S. 6,678,7171, and further in view of Green et al. U.S. 6,868,441.

Schneider teaches the invention substantially as claimed including method and apparatus for integrating resolution services, registration services, and search services (abstract).

As to claims 92, 93 and 94, Schneider teaches a method according to claim 88.

Schneider (430) fails to teach explicitly said checking includes pinging a registrar; a substantially contemporaneous pinging of multiple registrars; and pinging a registry.

However, Green teaches said checking includes pinging a registrar; a substantially contemporaneous pinging of multiple registrars; and pinging a registry (column 51, lines 50-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Schneider in view of Green to provide said checking includes pinging a registrar; a substantially contemporaneous pinging of multiple registrars; and pinging a registry. One would be motivated to do so to locate the position of the registrar (column 51, lines 52-54).

5.   Claims 91, 104, 105, 106 and 111-116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider U.S. 6,895,430 in view of Schneider U.S. 6,678,7171, and further in view of Hollenbeck et al. U.S. 2005/0102354.

Schneider teaches the invention substantially as claimed including method and apparatus for integrating resolution services, registration services, and search services (abstract).

As to claims 104 and 105, Schneider teaches a method according to claim 102. Schneider fails to teach explicitly the specific type of event is an RRP event, an RRP delete request, and the predefined action includes notifying the interested party of

the RRP event and the requesting a next registration to succeed the first registration

subject to the RRP delete request.

However, Hollenbeck teaches shared registration system for registering domain

names. Hollenbeck teaches the specific type of event is an RRP event, an RRP delete

request, and the predefined action includes notifying the interested party of the RRP

event and the requesting a next registration to succeed the first registration subject to

the RRP delete request (page 12, [0111]; page 13, [0136]; page 3, [0026] and [0042]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine Schneider in view of Hollenbeck to provide the specific type of

event is an RRP event, an RRP delete request, and the predefined action includes

notifying the interested party of the RRP event and the requesting a next registration to

succeed the first registration subject to the RRP delete request. One would be

motivated to do so to allow the registry to determine whether the registrar is authorized

to perform an action (abstract).

As to claim 106, Schneider teaches a method according to claim 105, wherein

the next registration is for the interested party (column 24, lines 22-28).

As to claims 91, 111, 112, 113, 114 and 115, Schneider teaches a method

according to claims 33, 90 and 111, wherein the first registration is maintained by a

registry (figure 1f, item 178);

Periodically checking the status within the time period (figure 9b); and

Increasing the frequency of said checking, proximate to the predicted earliest

moment of registrability (column 20, lines 33-40).

Schneider fails to teach explicitly further determining a deletion time period

during which the first registration is expected to delete from the registry; and during the

deletion time period but prior to deletion from the registry, requesting a next registration

of the domain name succeed the first registration.

However, Hollenbeck teaches determining a deletion time period during which

the first registration is expected to delete from the registry; and during the deletion time

period but prior to deletion from the registry, requesting a next registration of the domain

name succeed the first registration (page 3, [0042]).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine Schneider in view of Hollenbeck to provide determining a deletion

time period during which the first registration is expected to delete from the registry; and

during the deletion time period but prior to deletion from the registry, requesting a next

registration of the domain name succeed the first registration. One would be motivated

to do so to allow updates to domain names registered by the registrar (page 3, [0036];

page 5, [0051]).

As to claim 116, Schneider teaches a method according to claim 115, wherein

said obtaining of the list includes querying a registrar database (column 12, lines 53-55;
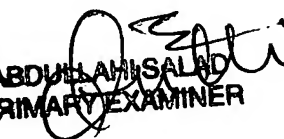
column 3, lines 48-62).

6.   ***Conclusion***

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to El Hadji M Sall whose telephone number is 571-272-

4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

ABDULLAHI SALAD
PRIMARY EXAMINER

El Hadji Sall
Patent Examiner
Art Unit: 2157